

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1C) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.309 NET (0.403 GROSS) ACRES, FOR PROPERTY LOCATED AT 708-712 HENRY CLAY BOULEVARD (STEVE AND CATHY SNOWDEN; COUNCIL DISTRICT 5).

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WHEREAS, at a Public Hearing held on February 29, 2013, a petition for a zoning ordinance map amendment for property located at 708-712 Henry Clay Boulevard from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 0.309 net (0.403 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 708-712 Henry Clay Boulevard, from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for 0.309 net (0.403 gross) acres; being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are proposed for the subject property via conditional zoning:

PROHIBITED USES:

- a. Automobile service stations.
- b. Tattoo parlors.
- c. Miniature golf courses.
- d. Carnivals and circuses, even on a temporary basis.
- e. Community centers.
- f. Drive-through facilities
- g. Outdoor live entertainment

Landscaping and Lighting Restrictions:

- a. A landscape buffer shall be installed along the southwest and southeast property lines, which shall adhere to the Article 18 zone perimeter screening requirements, with the addition of a 3-foot shrubs located between any required trees.
- b. No pole lighting may be installed on the subject property; however, ground level lighting, light for pedestrian paths and sidewalks and indirect lighting shall be permitted.

Signage Restrictions:

- a. No free-standing signs shall be erected within 25' of a residential zone.
- b. No directional signs shall be installed within 20' of a residential zone.

Section 3 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: April 11, 2013

MAYOR



ATTEST:

  
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CLERK OF URBAN COUNTY COUNCIL  
Published: April 18, 2013-1t

Legal Description

For: 708, 712-720 Henry Clay Blvd.

Zone Change

Beginning in the centerline of Henry Clay Blvd., at the common lot line extended between 708 and 712-720 Henry Clay Blvd. Thence, with said common line for two calls S 81°44'50" E 136.69', and N 41°59'11" E 136.31', to a point in the center line of Liberty Road. Thence along said centerline S 48°12'33" E 61.18' to a point at the common lot line extended between 712-720 Henry Clay Blvd. and 1620 Liberty Road. Thence, with said common lot line, S 41°47'10" W 156.71', to a common corner with 1620 Liberty Road and 1601 Clayton Ave. Thence, along the common line with 1601 Clayton Avenue S 12°46'21" W 10.00', to a common corner with 704 and 708 Henry Clay Blvd. Thence, with said line, N 77°07'55" W 177.91' to a point in the centerline of Henry Clay Blvd. Thence, along said centerline, N 09°50'53" E 46.74' to the point of beginning, having an area of 17,543.89 square feet, 0.403 acres.